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Julian Union School District

P.O. BOX 337 • JULIAN, CA 92036 • (760) 765-0661 • FAX (760) 765-0220

FAX TRANSMISSION INFORMATION SHEET Date/Time: 1/11/06 To: FROM: FCC - Office of the Secretaligne: C. Kevin Ogden Organization: Location; ______ Number of Pages: ___15 Location: RECEIVED & INSPECTED FAX #: (202) 418-0187 FAX # (760)765-0220 JAN 1 1 2006 FCC - MAILROOM Subject: Appeal Message: _______

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Julian Union School District

P.O. Box 337 • Julian, CA 92036 • (760) 765-0661 • Fax (760) 765-0220 "Our mission is to provide every student success in learning"

January 11, 2006

Federal Communications Commission Office of the Secretary 445 12th Street, SW Room TW-A325 Washington, DC 20554

Fax: 202-418-0187

Ref: CC Docket No. 96-45 and CC Docket No. 02-6

Re: Julian Union Elementary School District

7607650220

PO Box 337

Julian, CA. 92036

Ph: 760 765 0661

Fax: 760 765 0220 Kevin Ogden, Superintendent

kogden@sdcoe.k12.ca.us

Entity:

143645

Form 471: 455089

Funding Year: 8 (2005-2006)



To Whom It May Concern:

We are appealing the Administrator's Decision on Appeal – Funding Year 2005-2006 from USAC, dated December 28, 2005. It specifies that USAC believes that Julian Union Elementary School District should be classified as Urban, based on the Metropolitan Statistical Area (MSA) data. We disagree with this ruling and wish to appeal to the FCC based on the following information.

As shown in the attachments, Julian Union Elementary School District is clearly in a rural area. Attached please find:

- 1) Administrator's Decision on Appeal
- 2) The NCES website showing the locale as: Rural, inside CBSA / 8.
- 3) The California Frontier and Rural Demographics 2000 U.S. Census. You can see that the area of Julian is in the Designation of Frontier, MSSA (Medical Service Study Area) 152. Below the chart, the definition of "Rural" is a MSSA with a population density of 50,000 persons. The definition of "Frontier" is a MSSA with a population density equal or less than 11 persons per square mile."

Governing Board: Joy Booth, Jim McFall, Susan Slaughter, Michael Strachota, Eileen Tellam Jr. High Principal: Brian Duffy - Superintendent: C. Kevin Ogden

- 4) The Grant Award Notification from the U.S. Department of Education shows Julian Union School District Elementary as the recipient for the Project Description of 84.358A Application for Small, Rural School Achievement Program.
- 5) A letter from Dianne Jacob, a Supervisor from the San Diego County Board of Supervisors, verifying the rural status.
- 6) A letter from Rudy Castruita, County Superintendent of Schools, San Diego, CA. verifying the rural status of Julian Union Elementary School District.

Additionally, the Julian Union Elementary School District shares the same piece of contiguous property as the Julian Union High School District. USAC has determined that the High School District is rural but has determined that the Elementary District is Urban. This doesn't make sense. They are on the same piece of contiguous property and not separated by any streets.

Please let me know if I can provide any more information. Thank you for your consideration.

Kevin Ogden District Superintendent

JULIAN UNION SCHOOL

ATTACHMENT 1



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal - Funding Year 2005-2006

December 28, 2005

Nancy von Langen-Scott NVLS Professional Services, LLC 12265 Scripps Poway Parkway, Suite 112-307 Poway, CA 92064

/687650220

Re: Applicant Name:

JULIAN UNION ELEM SCH DISTRICT

Billed Entity Number:

143645

·Form 471 Application Number:

455089 1249722, 1249767, 1249781, 1249787

Funding Request Number(s):
Your Correspondence Dated:

November 16, 2005

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of SLD's Funding Year 2005 Funding Commitment Decision Letter for the Application Number indicated above. This letter explains the basis of SLD's decision. The date of this letter begins the 60-day time period for appealing this decision to the Federal Communications Commission (FCC). If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s):

1249722, 1249767, 1249781, 1249787

Decision on Appeal:

Denled

Explanation:

You are appealing 5LD's decision to decrease the funding amount due to the modification of the site-specific discount from 70% to 60%. In particular, the Rural classification was modified to Urban. In support of your appeal, you provide a document from the California Frontier and Rural Demographics 2000 U.S. Census and a Grant Award Notification from the U.S. Department of Education to show that Julian Union Elementary School District should be considered as a Rural classification. In addition, you state that Julian Union Elementary School District shares the same property with Julian Union High School. However, Julian Union High School was considered Rural by the same reviewer who reviewed this application.

JULIAN UNION SCHOOL

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After thorough review of the appeal and relevant supporting documentation, it
was determined that the correct classification for Julian Elementary/Junior High
School (BEN 103948) is Urban. Every school or library in the United States is
located in either a rural or an urban area, based on the Metropolitan Statistical
Area (MSA) data. It was determined based on the physical address you provided
during initial review of the Form 471 application, that the billed entity is located
within San Diego County, and with Tracx Code 9209.4. Compared to the USAC
web site under Rural/Urban classification

(http://www.sl.universalservice.org/reference/msa/RuralUrbanClassYr4.asp), this Tract Code was not listed under the county, and therefore the entity is considered Urban. The modification of the classification resulted with the corrected discount of 60%. The documentation you provided on appeal does not support that it was based from the MSA data. It is ultimately the applicant's responsibility to ensure their application be in compliance with the FCC rules.

- SLD's review of your application determined that your discount eligibility should have been 60%. Since you did not demonstrate in your appeal that the adjustment SLD made to your discount percentage was incorrect because of the Rural classification, SLD denies your appeal.
- You indicated on your Form 471 that your discount eligibility is 60%. FCC rules provide that the discount available to an applicant is determined by indicators of poverty and high cost. 47 C.F.R. § 54.505(b). The level of poverty is measured by the percentage of students emulled in a school or school district who are eligible for a free or reduced price lunch under the National School Lunch Program, or a federally-approved alternative mechanism. Alternatively, the level of poverty is measured according to participation in Medicaid, food stamps, Supplementary Security Income (SSI), federal public housing assistance or Section 8, or Low Income Home Energy Assistance Program (LIHEAP). See Federal-State Joint Board on Universal Service, CC Docket No. 96-45, Report and Order, 12 FCC Red 8776, PCC 97-157, n.1334 (rel. May 8, 1997). The high cost determination is made pursuant to FCC rules that classify a school or library as rural or urban. 47 C.F.R. § 54.505(b)(3). An applicant's discount rate is determined by reference to a matrix based upon the level of poverty and whether a school is classified as rural or urban. 47 C.F.R. § 54.505(c).

if your appeal has been approved, but funding has been reduced or denied, you may appeal these decisions to either the SLD or the FCC. For appeals that have been denied in full, partially approved, dismissed, or canceled, you may file an appeal with the FCC. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal vis United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further infomiation and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD web site or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

JULIAN UNION SCHOOL

PAGE 06

p.6

JULIAN UNION SCHOOL

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3/3

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company

Jan 11 06 12:10p Search for Public Schools - School Detail

-ATTOCHMENT 2

Page 1 of 1

S National Center for Education Statistics

Search for Public Schools

Conurein Core of Cal

Search Information

Search Results Modify Search Data Notes/Grant IDs Help

School Name:

Julian Elementary

Mailing Address:

P.O. Box 337

District Name:

Julian Union Elementary

district information

Physical Address: 1704 HWY, 78

Julian, CA 92036-0337

County:

San Diego schools in county

Phone:

760-765-0661

NCES District ID:

Julian, CA 92036-0337

NCES School ID:

State District ID:

State School ID:

0619140

061914002306

3768163

6038327

School Characteristics

Grade Span: (grades KG-7)

KG 1 2 3 4 5 6 7

Type:

Regular school

Total Students:

Classroom Teachers (FTE): 20.0

Locale/Code: Status:

Rural, inside CBSA / 8

Currently operational

Student/Teacher Ratio: 16.0

Charter: no Magnet: no Title I School: yes Title I School-Wide Program: no

Enrollment Characteristics

Enrollment by Grade:

KG Ungraded Students 48 37 50 45 49 0

Enrollment by Race/Ethnicity:

Amer Ind/ White Asian Black Hispanic Alaskan 3 Students 39 0 60 219

Enrollment by Gender:

Male Female Unknown Students 159

Free lunch eligible: 121

Reduced-price lunch eligible: 32

Migrant Students: 0

Note: Details may not add to tetals.

Source: CCD Public school data 2003-2004 school year Note: "N/A" memo the data are not available or not applicable.

National Center for Education Statistics of Educational Research & Improvement, U.S. Dept. of Education 1990 K Street, NW. Weshington, DC 20008, USA, Phone: (202) 502-7300

http://nces.ed.gov/ccd/schoolsearch/school_detail.asp?Search=1&City=Julian&State=06&Z... 1/5/2006

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Page 1 of 1

guachters.

Notional Center for Education Statistics

	Ì	arch	for	Public	School	Districts
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District Information	n
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Modify Search Data Notes/Grant IDs Help

District Name: Julian Union Elementary

County: San Diego County ID: 06073

schools for this district

Mailing Address: P.O. Box 337 Julian, CA 92036-0337

Physical Address: 1704 HWY, 78 Julian, CA 92036-0337

Phone: (760) 765-0661

NCES District TD:

0619140

State District ID: 3768163

District Details

Total Schools:

Total Students:

Characteristics Staff Fiscal Census

Show All

Grade Span: (grade: KG - 12)

KG 1 2 3 4 5 6 7 8 9 10 11 12

3 1,757 Classroom Teachers (FTE): 81.6

Student/Teacher Ratio: 21.5 Summer Migrant Studente: 0 ELL (formerly LEP) Students: 42 Students with IEPs: 140 Type: Regular School District Locale/Code: Rural, inside CBSA / 8

Status: No Boundary Change

Metro Status: MSA - Not Central City

CSA/CBSA: Supervisory Union #: 41740 000

Source: CCD public school district data for the 2003-2004 school year.

Note: "N/A" messa the data are not available or not applicable.

National Center for Education Statistics Office of Educational Research & Improvement, U.S. Dept. of Education 1990 K Street, NW, Weshington, DC 20006, USA, Phone: (202) 502-7300

Attachment 3 Boe 1/2

California Frontier and Rural* Demographics 2000 U.S. Census: Totals by County, Medical Service Study Area (MSSA), and Region

Demog	raphic	s by MSSA	 								ulation C	emograp	HICS							
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Source: OSHPO - Health Worklous and Community Development Calibrate Rural Health Petry Council

18:45

Attachment 3 Auge 2/2

127

Increased font from California Frontier and Rural Demographics sheet:

The definition of "Rurat" is a Medical Service Study Area (MSSA) with a population density of 250 persons or less per square mile and have no incorporated area greater than 50,000 persons. The definition of "Frontier" is a MSSA with a population density equal or less than 11 persons per square mile.

Designation MSSA No. MSSA Name

Frontier

152

Borrego Springs/Cuyamaca/Julian

Kertwood in the Pines, Laguna, Ocotilio Wells,

Palomar, Pine Valley, Warner Springs

Source: OSHPD -- Health Workforce and Community Development, California Rural Health Policy Council, Updated 1/04

P-11

7607650220

JULIAN LINION SCHOOL

U.S. Department of Education Washington, D.C. 20202

GRANT AWARD NOTTELS

	RECIPIENT NAME: Julian Union School District - Elementary P. O. Box 337 1704 Cape Horn Julian, CA 92036		5 AWAR	D INFORMAT WARD NUM CTION NUM ACTION T	TION BER S	358A0\$2869	
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JULIAN UNION SCHOOL

PAGE 02

AMACLMENT 4 POGE 2/3

FISCAL YEAR 2003 SPREADSHEET FOR SMALL, RURAL SCHOOL ACHIEVEMENT EMENT PROGRAM California public school districts

LEAs that are SHADED or highlighted MUST apply using the e-Grants system (http://e-grants.ed.gov) to receive funds for the next yelligible for the program last year, and did not apply or receive funds.

FLEASE NOTE: In Jone instances, it is possible for the faciling formula so yield a great award of 50. Under the statutory form Grants); Title II-D (Educational Technology Grants); Title IV-A (Safe and Orang Pres Schools Grants); and Title V-A (Innovative Pres if it does not receive an SRSA grant award, that district could still exercise REAP-Plat authority. See the section is the authority of the section in the section in

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JULIAN UNION SCHOOL

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PAGE 3/3

0614490	4569997 FRENCH GULCH-WHISKEYTOWN ELEMEN	4 NO	NO
0614520	1262828 FRESHWATER ELEMENTARY	7 YES	YES
0614910	1262836 GARFIELD ELEMENTARY	7 YES	YES
0614970	4770318 GAZELLE UNION ELEMENTARY	7 YES	YES
0615000	1563487 GENERAL SHAFTER ELEMENTARY	8 YES	NO
0615090	5271548 GERBER UNION ELEMENTARY	7 YES	NO
0619150	4970706 GEYSERVILLE UNIFIED	8 YES	NO
0615690	4570003 GRANT ELEMENTARY	8 YES	YES
0815810	5071084 GRATTON ELEMENTARY	8 YES	YES
0615840	4970714 GRAVENSTEIN UNION ELEMENTARY	8 YES	NO
0615990	1262851 GREEN POINT ELEMENTARY	7 YES	YES
0616110	4770326 GRENADA ELEMENTARY	7 YES	YES
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0616530	4770334 HAPPY CAMP UNION ELEMENTARY	7 YES	YES
0616560	4469757 HAPPY VALLEY ELEMENTARY	8 YES	NO
0616620	4970730 HARMONY UNION ELEMENTARY	6 YES	YES
0816950	3667736 HELENDALE ELEMENTARY	B YES	NO
0817400	3968536 HOLT UNION BLEMENTARY	8 YES	YES
0617520	5471944 HOPE ELEMENTARY	8 YES	YES
0617580	4970763 HORICON ELEMENTARY	8 YES	NO
0617620	4770359 HORNBROOK ELEMENTARY	7 YES	NO
0817640	5471951 HOT SPRINGS ELEMENTARY	Ó NO	YES
0617880	1964626 HUGHES-ELIZABETH LAKES UNION EL	8 YES	YES
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0618270	4570037 INDIAN SPRINGS ELEMENTARY	8 YES	NO
0691011	1410140 INYO CO. OFFICE OF EDUCATION	O YES	YES
0618510	1663933 ISLAND UNION ELEMENTARY	7 YES	YES
0819690	5572363 JAMESTOWN ELEMENTARY	7 YES	YES
0618780	1864105 JANESVILLE UNION ELEMENTARY	7 YES	
C818810	3567488 JEFFERSON ELEMENTARY	7 YES	NO
0618050	-1864113-10HMSTOWVILE ELEMENTARY		NO
(0619140	3768163 JULIAN UNION ELEMENTARY	7 YES	YES
CETETTO	3/681/1 JULIAN UNION HIGH	8 YES	NO YES
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0619770	1663941 KINGS RIVER-HARDWICK UNION ELEM	8 YES	
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0620430	2165342 LAGUNA JOINT ELEMENTARY	8 YES	YES
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JULIAN UNION SCHOOL

PAGE 02



DIANNE JACOB

BUPEANISON, SECONO DISTRICT SAIN DISSIN GOVERTY BOARD OF SUPERNYSHAR

January 9, 2006

Mr. Kevin Ogden, Superintendent Julian Union School District P.O. Box 337

DJ:ef

Julian, CA 92036 Dear Superintendent Ogden:

I'm writing to verify that the Julian Union School District is located in San Diego County's Second Supervisorial District, in the tural, unincorporated community of Julian. According to the latest data provided by the San Diege Association of Government, the community of Julian had an estimated population of 3,022 in 2005.

Again, thank you for writing. If I can be of further assistance, please feel free to contact me or Brin Farris of my staff at (619) 531-5522, or via my web site at www.diannejacob.com.

DIAMNE JACOB Supervisde, Second District

Sincerely

Ragner Huswalli, Rodin 356 - San Dobac, Cautomin 82101-2770 B 351 - SSC, FAX (819) MB-7353 - Tall Fram: 800-823-7232 E. Man Bioley, Burtl 169 - B. Cadol, Cautomin 82035-8641

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SDODE SUPERINTENDENT

JULIAN UNION SCHOOL

PAGE 02 P. 81/81



Audy M. Contuino, Ed.D.

January 10, 2008

RE: Classification of E-Rate Status for Julian Union School District

To Whom it May Concern:

As the San Diego County Superintendent of Schools, I would like to clarify an error that was made by the Federal Communications Commission (FCC) regarding the E-Rate classification status of the Julian Union School District

The District has been categorized by the FCC as an "urban" school district when it is actually designated a "rural" district. To substantiate my assertion and clarify this misunderstanding, I would like to submit the following information.

Under the Federal Rural Education initiative Program, the Julian Union School District is designated as an "8" rural district. The District's demographics bear this out. The District serves approximately 400 students spread over 620 square miles, which substantiates the sperse population of the district. Over 80 percent of the District's 520 square miles are designated as national Forest, Indian Reservation, or State Park Land. To further underscore the District's rural standing, there is no incorporated only within the District boundary.

I hope you will take these facts into consideration as you review the Julian Union School District's appeal of the E-Rate status classification.

Thank you for your consideration.

Sincerely.

County Superintendent of Schools

Board of Education

Nick Aguillar Ernest J. Dronenburg, Jr. Susan Harriey Robert J. Watkins John Witt

SERVICE AND LEADERSHIP

TOTAL P. 82